

06-25-01

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## CONTINUATION APPLICATION TRANSMITTAL FORM

PATENT

Docket No 97-3-804CON1  
Prior Application 09/113,551Anticipated Classification  
Of this Application:

<b>Class</b>	<b>SubClass</b>	<b>Examiner</b>	<b>Art Unit</b>
<b><u>370</u></b>	<b><u>335</u></b>	<b><u>R. Pizzaro</u></b>	<b><u>2661</u></b>

To the Commissioner of Patents and Trademarks:

This is a request for filing a Continuation of a utility application under 37 CFR 1.53(b), of pending prior application Serial Number 09/113,551 filed on 7/10/1998 for CAPACITY ENHANCEMENT FOR MULTI-CODE CDMA WITH INTEGRATED SERVICES THROUGH QUALITY OF SERVICE AND ADMISSION CONTROL currently allowed (Parent). The benefit of an earlier filing date under 35 U.S.C. §120 is claimed.

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**Certification Under 37 CFR 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date 6/22/01 in an envelope as "Express Mail Post Office to Addressee" mailing label Number EK555899131US addressed to the: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

Mary Anza

(typed or printed name of person mailing paper)

Mary Anza

(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

**Warning:** Certificate of mailing (first class) or facsimile transmission procedures of 37CFR1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

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1. X Enclosed is a copy of the latest inventor-signed prior application, including the oath or declaration as originally filed. I hereby verify that the attached papers are a true copy of the latest inventor-signed prior application Serial No. 09/113,551 as originally filed on 7/10/1998 and further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like are so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
2. X Enclosed is an Information Disclosure Statement.
3. X enclosed is a Preliminary Amendment to the Application.
4. X Cancel in this application claims **1-4, 6-11, 13 and 14** of the prior original application before calculating the filing fee (At least one original independent claim must be retained for filing purposes).

5. The filing fee is calculated below based on the claim structure resulting from the enclosed Preliminary Amendment:

BASIC FEE				\$710.00
FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	2-20	0	\$18.00	\$0.00
INDEPENDENT CLAIMS	2-3	0	\$80.00	\$0.00
TOTAL FILING FEE				\$710.00

6. X The Commissioner is hereby authorized to charge the filing fee, any additional fees, which may be required, or credit any overpayment to Deposit Account No. **07-2339**. A duplicate copy of this sheet is enclosed.
7. X 10 sheets of formal drawings are enclosed.
8. X The prior application is assigned of record to Verizon Laboratories Inc. (by change of name from GTE Laboratories Incorporated) at Reel 11531, Frame 0194, and to University of Maryland at Reel 9505, Frame 0442. A copy of the Assignments is enclosed, along with a copy of the Name Change from GTE Laboratories Incorporated to Verizon Laboratories Inc.
9. X The powers appear in the original papers in the parent (09/113,551) application (copies enclosed).
10. X Also enclosed, notification for the parent case that continuation is being filed.


11. X Address all future communications to:

Leonard Charles Suchyta, Esq.  
C/o Christian Andersen  
Verizon Services Group  
600 Hidden Ridge HQE03H01  
Irving, TX 75038

12. X Address all telephone calls to :

James K. Weixel  
781-466-2220

6/15/2001  
(Date)

  
James K. Weixel  
Reg. No. 44,399

[illegible]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Deepak Ayyagari et al.

Application No.: 09/113,551 Group No.: 2732

Filed: July 10, 1998 Examiner: R. Pizzaro

For: CAPACITY ENHANCEMENT FOR MULTI-CODE CDMA WITH INTEGRATED SERVICES  
THROUGH QUALITY OF SERVICE AND ADMISSION CONTROL

Assistant Commissioner for Patents  
Washington D.C. 20231

NOTIFICATION OF FILING OF CONTINUING, DIVISIONAL  
OR CONTINUED PROSECUTION APPLICATION

Notification is hereby being made of the filing of a continuation application for this case concurrently

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CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. section 1.8(a)

- with sufficient postage as first class mail.

37 C.F.R. section 1.10\*

- as "Express Mail Post Office to Address"  
Mailing Label No. EK555899131us  
(mandatory)

TRANSMISSION

- transmitted by facsimile to the Patent and Trademark Office.

Date: 6/22/01

Signature

Mary Anza  
(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b).  
"Since the filing of correspondence under [section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

herewith.

Date:

6/15/2001

Reg. No : 44,399

Tel. No.: 781-466-2220

Signature of Practitioner

James K. Weixel

Verizon Services Group

600 Hidden Ridge, HQE03H01

Irving, TX 75038

(Notification of Filing of Continuing, Divisional or Continued Prosecution Application--page 2 of 2)

Practitioner's Docket No. 97-3-804CON1

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Deepak Ayyagari, Samuel Resheff  
and Anthony Ephremides

For (title): **CAPACITY ENHANCEMENT FOR MULTI-CODE CDMA WITH  
INTEGRATED SERVICES THROUGH QUALITY OF SERVICE AND  
ADMISSION CONTROL**

**REQUEST AND CERTIFICATION UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not**  
**be** the subject of an application filed in another country, or under a multilateral agreement  
that requires publication at eighteen months after filing. I hereby request that the attached  
application not be published under 35 U.S.C. 122(b).

Date:

6/15/2001

  
James K. Weixel, Reg. No. 44,399

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the  
application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request  
that an application not be published under 35 U.S.C. 122(b), the application will be scheduled  
for publication at eighteen months from the earliest claimed filing date for which a benefit is  
claimed

If applicant subsequently files an application directed to the invention disclosed in the  
attached application in another country, or under a multilateral international agreement, that  
requires publication of applications eighteen months after filing, the applicant **must** notify the  
United States Patent and Trademark Office of such filing within forty-five (45) days after the  
date of the filing of such foreign or international application. **Failure to do so will result in  
abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

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